

Docket No. 29615/DAP/B472  
Attorney DAP

As joint inventors we declare:

Our residence address(es) and citizenship(s) are as stated next to our name(s). We believe we are the original, inventor(s) of the invention claimed in the patent application entitled METHOD AND APPARATUS FOR ENCAPSULATING PARTICULATES, the specification of which

X is attached.  
X was filed on 8/30/96 as Serial No. 08/706217 and was amended on \_\_\_ (if applicable).

I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR § 1.56.

X I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBERFILED

60/003,106

September 1, 1995

I claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)APPLICATION NUMBERCOUNTRYFILEDPRIORITY CLAIMED

I claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, and, insofar as this application discloses and claims subject matter not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or Patent Cooperation Treaty International filing date of this application:

SERIAL NUMBERFILEDPATENTED/PENDING/ABANDONED

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from \_\_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Carl Kustin	(24,106)	Constantine Marantidis	(39,759)
D. Bruce Prout	(20,958)	Thomas J. Daly	(32,213)	John W. Eldredge	(37,613)
Hayden A. Carney	(22,653)	Vincent G. Gioia	(19,959)	Yar R. Chaikovsky	(39,625)
Richard J. Ward, Jr.	(24,187)	Felix L. Fischer	(31,614)	Paul W. Fish	(22,435)
Russell R. Palmer, Jr.	(22,994)	Edward R. Schwartz	(31,135)	Kyle L. Elliott	(39,485)
LeRoy T. Rahn	(20,356)	John D. Carpenter	(34,133)	Gregory S. Lampert	(35,581)
Richard D. Seibel	(22,134)	David A. Plumley	(37,208)	Marc Morris	(38,976)
Walter G. Maxwell	(25,355)	Wesley W. Monroe	(39,778)	Patrick J. S. Inouye	(40,297)
John P. Grinnell	(24,001)	Grant T. Langton	(39,739)	Steven P. Skabrat	(36,279)
William P. Christie	(29,371)	R. Dabney Eastham	(31,247)		
David A. Dillard	(30,831)	Jeffrey P. Wall	(38,357)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

SEND CORRESPONDENCE TO: CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068

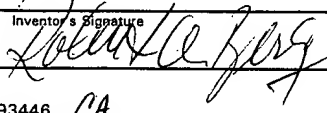
DIRECT TELEPHONE CALLS TO: David A. Plumley, 818/795-9900; 213/681-1800

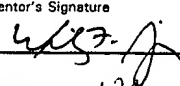
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATIONS

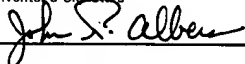
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Attorney : DAP

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Full Name of First or Sole Inventor <u>1-80</u> Robert O. Berg	Inventor's Signature 	Date 9-9-96
Residence and Post Office Address Route 1, Box 71A, <u>Paso Robles</u> , California 93446 <u>CA</u>		Citizenship U.S.

Full Name of Second or Joint Inventor <u>2-80</u> William F. Rigby	Inventor's Signature 	Date
Residence and Post Office Address 635 Cherrywood Loop, <u>Richland</u> , Washington 99352 <u>WA</u>		Citizenship U.S.

Full Name of Third or Joint Inventor <u>3-80</u> John P. Albers	Inventor's Signature 	Date 9-9-96
Residence and Post Office Address 2513 Harris Avenue, <u>Richland</u> , Washington 99352 <u>WA</u>		Citizenship U.S.

#4  
Docket No. : 29615

CHRISTIE, PARKER & HALE, LLP

Post Office Box 7068

Pasadena, CA 91109-7068

(818) 795-9900

Applicant or Patentee : Robert O. Berg et al.

Serial or Patent No. : 08/706,217

Filed or Issued : August 30, 1996

Entitled : METHOD AND APPARATUS FOR ENCAPSULATING PARTICLES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37) CFR 1.9(f) & 1.27(c) — SMALL BUSINESS CONCERN**

I hereby declare that I am

\_\_\_\_\_ the owner of the small business concern identified below:

X  an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Encapsulation Technology, LLC

ADDRESS OF SMALL BUSINESS CONCERN: 3150 East Pico Boulevard, Los Angeles, California 90023-3632

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for the purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **METHOD AND APPARATUS FOR ENCAPSULATING PARTICULATES** by inventor(s) **Robert O. Berg, William F. Rigby and John P. Albers** described in

\_\_\_\_\_ the specification filed herewith

X  application Serial No.  08/706,217  filed  August 30, 1996

\_\_\_\_\_ Patent No.   issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37.CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

NAME:

ADDRESS:

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: William F. Rigby

TITLE OF PERSON IF OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 635 Cherrywood Loop, Richland, Washington 99352

SIGNATURE

*W.F. Rigby*

DATE  October 8, 1996

DAP/cml

CML 51467.1--09/04/96 10:10am